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HOUSE BILL 163

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Larry A. Larranaga

AN ACT

RELATING TO TAXATION; PROVIDING A GROSS RECEIPTS TAX DEDUCTION
FOR RECEIPTS FROM PROVISION OF SERVICES BY PHYSICIANS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Gross Receipts and
Compensating Tax Act is enacted to read:

"~~[NEW MATERIAL]~~ DEDUCTION--GROSS RECEIPTS TAX--SERVICES OF
PHYSICIAN. --

A. Receipts from the provision of services by a
physician that are not otherwise deductible pursuant to another
provision of the Gross Receipts and Compensating Tax Act may be
deducted from gross receipts, if the services are within the
licensed scope of practice of the physician providing the
service.

B. For the purposes of this section, "physician"

underscored material = new
[bracketed material] = del ete

underscored material = new
[bracketed material] = delete

1 means a person licensed as a physician pursuant to the
2 provisions of the Medical Practice Act. "

3 Section 2. Section 7-9-77.1 NMSA 1978 (being Laws 1998,
4 Chapter 96, Section 1, as amended) is amended to read:

5 "7-9-77.1. DEDUCTION--GROSS RECEIPTS TAX--CERTAIN MEDICAL
6 AND HEALTH CARE SERVICES. --

7 A. Receipts from payments by the United States
8 government or any agency thereof for provision of [~~medical and~~
9 ~~other health services by medical doctors and osteopaths or of~~
10 medical and other health and palliative services by a hospice
11 to medicare beneficiaries pursuant to the provisions of Title
12 [~~XVIII~~] 18 of the federal Social Security Act may be deducted
13 from gross receipts.

14 B. For the purposes of this section, [~~(1)~~]
15 "hospice" means a for-profit entity licensed and certified by
16 the department of health as a hospice [~~and (2)~~] "~~medical~~
17 ~~doctors and osteopaths~~" means persons licensed to practice
18 ~~under Section 61-6-11 or 61-10-11 NMSA 1978]. "~~

19 Section 3. EFFECTIVE DATE. --The effective date of the
20 provisions of this act is July 1, 2003.